

BOARD OF PUBLIC WORKS AND SAFETY

May 29, 2001

Regular Session:

The Board of Public Works and Safety met in regular session on Tuesday, May 29, 2001 at 9:00 a.m. Members present were Bob Griffiths, Lisa Decker, Rex Bowman, Jim Andrew and Rebecca Miller. City Attorney Eric Burns was also present.

Mr. Andrew called the meeting to order.

MINUTES

Mr. Griffiths moved to approve the minutes of the May 22, 2001 meeting. Mrs. Miller seconded. Passed.

BID OPENING

Ferry Street Project: Curb/Gutter/Sidewalk Replacement

This being the date and time set to open bids for the Ferry Street Curb/Gutter/Sidewalk Replacement Project; the following bids were received and opened:

DIXON CONSTRUCTION

Lafayette, IN.

The Clerk stated the base bid amount was \$61,496.66.

MILESTONE CONTRACTORS, L.P.

Lafayette, IN.

The Clerk stated the base bid amount was \$64,993.50.

Mr. Bowman moved to take these bids under advisement for one week to allow for further review. Mrs. Decker seconded. Passed.

PROPOSALS

Request for Proposals for Engineering Services – Design of Greenbush Street from US 52 to Creasy Lane

Mrs. Decker stated the following proposals have been received in the Clerks Office:

1. American Consulting, Inc.
2. Pflum, Klausmeier & Gehrum
3. Hawkins Environmental
4. United Consulting Engineers & Architects
5. Quandt Engineering
6. Mid-States Engineering
7. DLZ Engineers
8. Congdon Engineering Associates, Inc.
9. First Group Engineering
10. Donohue & Associates
11. Schneider Corporation
12. A & F Engineering
13. M.D. Wessler & Associates.

14. Bernardin, Lochmueller, & Associates
15. RQAW Consulting Engineers and Architects
16. Farrar, Garvey & Associates
17. Butler, Fairman & Seufert
18. M. S. Consultants
19. Crossroad Engineers, PC
20. Beam, Longest & Neff
21. R. W. Armstrong

Opal Kuhl, City Engineer, recommended that the Board take these proposals under advisement for two weeks to allow for review. Ms. Kuhl stated that after review, a "short list" of five (5) firms would be created and interviews of those firms would be conducted.

BID UNDER ADVISEMENT

Traffic Signal Modernization at 9th Street/Salem Street and 9th Street/Union Street

Dan Auckley, Traffic Operations Director, recommended that the Board accept the bid from Trans Tech Electric, L.P. for the Traffic Signal Modernization at 9th Street/Salem Street and 9th Street/Union Street Project in the amount of \$96,458.23. Mrs. Miller moved for approval. Mrs. Decker seconded. Passed.

NEW BUSINESS

Hawkins Environmental

Request for Payment – Kreager Bros.

Mike Smith, Hawkins Environmental, presented to the Board, and recommended approval, request for payment # 2 from Kreager Bros. Excavating for the Hartford and Tippecanoe Street Water and Sewer Project in the amount of \$2,692.23 (sewer) and \$4,654.31 (water). Mrs. Miller moved for approval. Mrs. Decker seconded. Passed.

Engineering Department

Ordinance Violations Bureau

Ms. Kuhl presented to the Board the 1st Letter Summary (74 issued) 2nd Letter Summary (32 issued) and Ticket Summary (12 issued) from the Ordinance Violations Bureau during the time period of 5/21/2001 – 5/25/2001. She also presented a Door Hanger Summary for the week of 5/21/2001 – 5/25/2001 (37 issued).

Railroad Relocation

Ratify Deeds- Greater Lafayette Health Services

Eric Burns, City Attorney, asked the Board, on behalf of Railroad Relocation, to ratify the deeds to Greater Lafayette Health Services and to acknowledge the donation of land to the City of Lafayette by Greater Lafayette Health Care Services. After a brief explanation from Mr. Burns, Mr. Griffiths moved for approval. Mrs. Decker seconded. Passed.

H. Stewart Kline & Associates, Inc.

INDOT Agreement

Stewart Kline, H. Stewart Kline & Associates, presented to the Board, and recommended approval, an Agreement with the Indiana Department of Transportation for Installation of Hardwire Emergency Vehicle Preemption Equipment. Mrs. Miller moved for approval. Mrs. Decker seconded. Passed.

Agreement – J. R. Kelly Company, Inc.

Mr. Kline presented for Board approval the Agreement with J. R. Kelly Company, Inc. for the Construction of Fire Stations 3, 6, & 9. Mr. Griffiths moved for approval. Mrs. Decker seconded. Passed.

Area Plan Commission

Subdivision Variance – S-3061—Austin Colony at Valley Lakes Subdivision

Opal Kuhl, City Engineer, presented the Board with a Subdivision Variance – S-3061—Austin Colony at Valley Lakes Subdivision. Ms. Kuhl explained to the Board that this was a variance to waive the required half-width improvements to the CR 350 S. frontage, except installation of the sidewalk. It was Ms. Kuhl recommendation that the Board approve this request. Jerry Withered, Attorney, spoke on behalf of the petitioner. Mr. Griffiths moved for approval. Mrs. Decker seconded. Passed.

The Ball Law Firm

Grant of Consent and Easement Concerning Encroachment

Ms. Kuhl presented for Board approval, a Grant of Consent and Easement Concerning Encroachment. After a brief explanation from Ms. Kuhl as well as Attorney Joe Bumbleburg, representing the petitioner, Mr. Bowman moved for approval. Mr. Griffiths seconded. Passed.

Kossuth Street Baptist Church

Permission to close a street

Mr. Andrew presented a letter from the Kossuth Street Baptist Church requesting permission to close 29th Street and 30th Street to through traffic between Kossuth Street and Warner Street on Saturday, June 23, 2001 for their 2nd annual Fun Fest. Mr. Bowman moved for approval. Mrs. Decker seconded. Passed.

Fields/Gaylord Wedding

Permission to close bridge

Mr. Andrew presented a letter from Melissa A. Fields requesting permission to close the John T. Myers Main Street Bridge at Riehle Plaza on May 11, 2002 for a wedding. Mrs. Decker moved to table this item to allow for further review. Mrs. Miller seconded. Passed.

Claims

Mr. Andrew presented for Board approval, Claims in the amount of \$481,416.56. Mrs. Miller moved for approval. Mrs. Decker seconded. Passed.

Miscellaneous

Mike Schwarz, Firefighters Local 472 President, informed everyone that the Union had been contacted by the Senior Center of Tippecanoe requesting donation to build up their maintenance fund for the vans that

they use to operate throughout the City. Mr. Schwarz stated the Union had donated \$100.00 and encouraged the media to make others aware of this request in hopes of receiving additional donations.

Police Department

Taxi Cab Driver's License

Chief Gene Reed, Police Department, presented to the Board, and recommended approval, a Taxicab Driver's License for Rhonda M. Braddock. Mrs. Decker moved for approval. Mrs. Miller seconded. Passed.

Building Permits

The Engineering Office issued the following Building Permits for the week ending May 25, 2001:

5822	Jeff Mays	4717 Meijer Ct	Sign for Dairy Queen UL#BP213476	\$25,000.00
5823	Terry Meadows	2504 Meadow	Upgrade electric 60 to 100 amps	\$600.00
5824	Lafayette Neighborhood Housing	1 Park Ave	Event sign for Lafayette Neighborhood	\$25.00
5825	Michael Gallipo	709 S 20th St	Wreck old detached garage	\$0.00
5826	Loren Schroeder	312 A-B Brunswick Dr	Fire restoration of Unit B only	\$45,000.00
5827	Jeff Halsema	3760 Union St	Room addition & interior remodel	\$34,500.00
5828	Paul & Tammy Banton	2022 Crestview Ct	Room addition	\$5,000.00
5829	Richard Nguyen	311 Sagamore Pkwy N	Sign for LA Nail Salon	\$4,000.00
5830	Jesus Alaniz	2418 Butler St	Remove roof & raise walls 4' & reroof	\$1,800.00
5831	Bruce Gunstra Builders	1916 Newfoundland Dr	Interior finish of 7 unit building (shell	\$23,707.00
5832	Bruce Gunstra Builders	1917 Griffon Dr	Interior finish of 7 units (shell # 5358)	\$21,531.00
5833	Bruce Gunstra Builders	3319 Lenehan Dr	Interior finish of 7 unit building (shell	\$23,046.00
5834	Bruce Gunstra Builders	1913 Griffon Dr	Interior finish 7 unit building	\$19,141.00
5835	Bruce Gunstra Builders	1910 Newfoundland Dr	interior finish of 7 unit (shell #5358)	\$22,192.00
5836	Bruce Gunstra Builders	1911 Griffon Dr	Interior finish of 7 unit building (shell	\$18,053.00
5837	Bruce Gunstra Builders	1915 Griffon Dr	Finish 7 unit building (shell BP#5358)	\$23,281.00
5838	Bruce Gunstra Builders	2412 Drexel Dr	Single family residence	\$97,000.00
5839	B & M Properties	2313 Drexel Dr	Single family residence	\$76,000.00
5840	Deluxe Homes	620 Braxton Dr N	Single family residence	\$63,000.00
5841	Nena Pruitt	917 Rochelle Dr	Detached garage	\$5,000.00
5842	Ron Perigo	1819 Charles St	Addition to porch	\$600.00
5843	Tom Spencer	1415 Adams St	Upgrade 60 to 200 amps	\$2,000.00
5844	Mark Jewell	2120 Crestview Ct	Change fuse box to breaker box	\$500.00
5845	Jagdish Patel	2200 Sagamore Pkwy N	Event sign for Economy Inn	\$25.00
5846	Carl Graves	636 S 27th St	Add handicap ramp to front of house	\$850.00
5847	Wordina Randolph	2324 Sequoya Dr	Repair fire damage	\$55,000.00
5848	Steak N Shake Corporation	200 Meijer Dr	Install LED lighting on interior bulk head of	\$5,000.00
5849	Brian Dekker	1444 South St	Detached garage	\$9,000.00
5850	Bob Rohrman Auto Group	701 Sagamore Pkwy S	Event sign for tent sale	\$25.00
5851	Bob Rohrman Auto Group	821 Sagamore Pkwy S	Event sign for tent salw	\$25.00
5852	Bob Rohrman Auto Group	304 Sagamore Pkwy N	Event sign for tent sale	\$25.00
5853	Bob Rohrman Auto Group	2901 Teal Rd	Event sign for tent sale	\$25.00
5854	Bob Rohrman Auto Group	815 Sagamore Pkwy S	Event sign for tent sale	\$25.00
5855	Bob Rohrman Auto Group	701 Sagamore Pkwy S	Event sign for tent sale	\$25.00
5856	Bob Rohrman Auto Group	2609 US 231 S	Event sign for tent sale	\$25.00
5857	Bob Rohrman Auto Group	1401 Teal Rd	Event sign for tent sale at fairgrounds	\$25.00
5858	Word of Life Family Church	711 N 36th St	Remodel of bathroom area	\$45,000.00
5859	Deluxe Homes	4101 Lofton Dr	Single family residence	\$62,000.00
5860	Homes by Prairie	3436 Plymouth Dr	Single family residence	\$197,455.00
5861	Medsurg Properties LLC	1345 Unity Pl	Interior remodel Unity Med Center Bldg B	\$350,000.00
5862	Mayne Homes	2962 Rampart St	Single family residence	\$92,000.00
5863	Christ Memorial Temple	3801 Union St	Event sign for garage sale	\$25.00
5864	William Schneider	4115 Calder Dr	Deck	\$3,000.00

Grievance Hearing

Mr. Andrew stated there would now be a five (5) minute recess before the scheduled Grievance Hearing Time being 9:22 a.m.

Mr. Andrew reconvened the meeting of the Board of Public Works and Safety into Open Session at 9:28 a.m.

NOTE: AN AUDIO-RECORDED TAPE OF THE FOLLOWING IS ON FILE IN THE CITY CLERK'S OFFICE.

Members present were Jim Andrew, Lisa Decker, Rebecca Miller, Bob Griffiths, and Rex Bowman.

The following people were also present: Michael Schwarz (Fire Department Union President); Donna Belile-Barker (Fire Department); Chuck Sosby (Professional Firefighters Union of Indiana) Mark Pizur (Attorney for Mrs. Belile-Barker); Chief Jeff McCoy (Fire Department); Eric Burns (City Attorney); Becki Hatton (Secretary).

Michael Schwarz, Firefighters Local 472 Union President, introduced Mr. Chuck Sosby, Vice President PFFUI and Mark Pizur, Attorney for Donna Belile-Barker and stated they were ready to answer any questions the Board might have.

City Attorney Eric Burns asked Mr. Schwarz if there was anything the Union would like to present in support of the grievances. Mr. Schwarz stated he believed the grievances stood on their own merit.

Attorney Mark Pizur informed the Board that he was present to represent Mrs. Belile-Barker and insure that she will not suffer any reprisals for invoking her grievance rights pursuant to the collective bargaining agreement.

Donna Belile-Barker was sworn in by Mr. Andrew and then presented her explanation of the incident, which she stated occurred at a fire scene on April 23, 2001, and of the grievances filed. Questions from the Board members ensued.

Michael Schwarz addressed Grievance # 1 regarding the time limits associated with filing a grievance and the request for an extension. Questions from the Board members ensued.

City Attorney Eric Burns asked if there was anything else to present or if there were any additional questions from the Board. There being no additional questions, Mr. Burns informed Mr. Andrew that now would be the time for anything to be presented by the Fire Chief.

Chief Jeff McCoy was sworn in by Mr. Andrew and then presented his explanation of the events that occurred on April 23, 2001 and his reason for denying the grievances. Questions from the Board members ensued.

City Attorney Eric Burns asked if there was anything else to be presented.

Chief McCoy recommended that the Board deny these grievances.

Questions ensue to the City Attorney regarding the definition of assault and battery.

Michael Schwarz addressed the Board stating that in his opinion a statement needed to be issued by the Board that, in the case of a Supervisor grabbing an individual while trying to correct their actions, this behavior would not be tolerated.

Questions from the Board members ensued.

Mr. Andrew asked if there was anything else to be presented on this matter at this time. With there being no additional presentations made by any party involved, Mr. Burns informed the Board of their tasks

regarding these grievances, encouraging them to address, and vote on, each grievance one at a time. Mr. Burns stated that the Board going into Executive Session was also an option at this time.

Mr. Andrew called for a recommendation on Grievance No. 1 pertaining to Article 26 of the Union Contract (Grievance Procedure). Mrs. Decker moved to deny Grievance No. 1. Mrs. Miller seconded. Passed.

Mr. Andrew called for a recommendation on Grievance No. 2 pertaining to Article 1 of the Union Contract (Preamble) No 3 - Efficient and uninterrupted operations. Mrs. Miller moved to deny Grievance No. 2. Mr. Griffiths seconded. Passed.

Mr. Andrew called for a recommendation on Grievance No. 3 pertaining to Article 9 of the Union Contract (Rules and Regulations). Mr. Griffiths moved to deny Grievance No. 3. Mrs. Miller seconded. Passed.

Mr. Andrew called for a recommendation on Grievance No. 4 pertaining to Article 9 of the Union Contract (Rules and Regulations). Mr. Griffiths moved to deny Grievance No. 4. Mrs. Decker seconded. Passed.

Mr. Andrew called for a recommendation on Grievance No. 5 pertaining to Article 9 of the Union Contract (Rules and Regulations). Mr. Bowman moved to deny Grievance No. 5. Mrs. Miller seconded. Passed.

Michael Schwarz informed the Board that the Union reserves it right to exercise Article 27 of the Union Contract (Mediation).

There being no further business to come before the Board, Mr. Andrew stated the meeting was adjourned. Time being 10:04AM.

BOARD OF PUBLIC WORKS AND SAFETY

JAMES A. ANDREW
President

ATTEST: LISA DECKER
City Clerk

Minutes written by Rebecca Hatton